

D/P

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*ADMITTED IN NY & NJ

October 14, 2005

Via First Class Mail and ECF

The Honorable Allyne R. Ross
United States District Court Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Glenn Marcus, 05 Cr. 0457 (ARR)

Your Honor:

We write to request a modification to the defendant's conditions of home confinement. On July 19, 2005, your Honor signed an order permitting defendant to leave his parent's home for the purpose of taking a walk between 7:30 p.m. and 8:30 p.m. each day. However, with winter approaching, it is becoming darker and more unsafe to walk at the appointed hour. Therefore, Mr. Marcus requests that the order be modified to permit him to take a daily, evening one-hour walk and that the time be set at the defendant's discretion with the prior approval of Pre-trial Services.

I have spoken to Ms. Anna Chu, Mr. Marcus' Pre-trial Supervising Officer, and AUSA Dan Wenner and they consent to this application.

If the Court is willing to grant Mr. Marcus' request, it may do so by executing this letter at the "So Ordered" signature line provided below.

Respectfully yours,


Maurice H. Sercarz

cc: AUSA Dan Wenner (via ECF)
 USPTSO Anna Chu (via Fax)

c/m

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The defendant, Glenn Marcus, having made application to modify the July 19, 2005 Order in order that he can take an evening walk at a time set at the defendant's discretion and approved by Pre-trial Services; and the government and Pre-trial Services having no objection to such modification,

IT IS ORDERED that Mr. Marcus be permitted to take a daily, evening one-hour walk and that the time of Mr. Marcus' walk be set at the defendant's discretion with the prior approval of Pre-trial Services.

SO ORDERED:

HON. ALLYNE R. ROSS
U. S. D. J.